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Senate Bill SB-17F-3257: Amendments to Title VI

Student Government Association, University of North Florida

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Student
Government
University of North Florida

SENATE LEGISLATION

SB-17F-3257

SB-17F-3257~~38~~: Amendments to Title VI

- Whereas: The Student Government of the University of North Florida was established to represent student concerns in all University wide matters, and;
- Whereas: The Senate is the legislative body of the University of North Florida's Student Government given the responsibility of carrying out such legislative acts that are necessary and proper for the Student Body of the University of North Florida; and;
- Whereas: The Student Government Constitution and Statutes has inconsistent formatting, and;
- Whereas: The current formatting of the Student Government Constitution and Statutes wastes space, and;
- Whereas: The Student Government Constitution and Statutes unnecessarily repeats information, and;
- Therefore: The following necessary and proper revision to the Student Government Constitution and Statutes is being proposed in order to ensure consistent formatting, decrease the size of the document, and eliminate repetitions.

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SB-17F-3257: Amendments to Title VI

TITLE VI: THE ELECTION CODE

Chapter 600: Introduction

600.1 In accordance with Florida Statutes (Title XLVIII Chapter 1004.26), "Each student government shall be organized and maintained by students and shall be composed of at least a president, a student legislative body, and a student judiciary. The president and the student legislative body shall be elected by the student body; however, interim vacancies and the student judiciary may be filled in a manner other than election as prescribed by the internal procedures of the student government." Therefore, the University of North Florida Student Government will hold General, and/or Special, Elections occurring during the fall and spring semesters to elect a President, Vice President, and Student Senators.

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600.2 The Student Government of the University of North Florida shall hold elections based on a system of declaration, where an individual student, who meets the constitutional requirements of candidacy may, with minimal barriers, avail themselves to the electoral process.

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600.3 All students actively involved in the Student Government System of Elections agree to uphold the Election Code and by extent the Election Policies and Procedures.

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600.4 The Government Oversight Committee shall be responsible for approving amendments to the Election Policies and Procedures.

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600.5 Amendments to the Election Policies and Procedures shall be subject to a special legislative process as follows:

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A. All amendments must be proposed by the Elections Commissioner and forwarded to the Government Oversight Committee.

B. The aforementioned proposal must receive two-thirds (2/3) approval from the Government Oversight Committee, and then;

C. Be sent to the Senate President in the form of a Joint Resolution confirming legislative action, and then;

D. Be forwarded to the President for executive action.

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600.6 A statute of limitation shall exist forbidding the adoption of amendments to the Election Code and/or the Election Policies and Procedures within ten (10) weeks of the nearest upcoming election.

Chapter 601: The Office of Elections

601.1 There shall be an Office of Elections responsible for the production and maintenance of all

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Student Government Elections.

601.2 The Office of Elections shall be an independent office of Student Government set apart from any one branch and free from political pressures.

601.3 The purpose of this office shall be to conduct the unbiased service of upholding the democratic process through elections.

601.4 The Office of Elections shall consist of the Elections Commissioner, who must:

- A. Be appointed by the Student Government President, and;
- B. Be subject to confirmation by the Government Oversight Committee and the Senate requiring a majority vote, and;
- C. Serve a term of two (2) years and be subject to reconfirmation after the first year by majority vote of the Government Oversight Committee, and;
- D. Have the power to form Ad-Hoc committees, and;
- E. Be responsible for proposing changes to the Election Policies and Procedures to the Government Oversight Committee, when necessary, and;
- F. Update the Senate, and the Government Oversight Committee upon request in regards to matters concerning the Office of Elections, and;
- G. Make public an election timeline, containing all important dates, deadlines, and statutes of limitation prior to the start of each semester as they pertain to the upcoming General Election, and;

A.H. Forward all witnessed and reported violations of the Election Code and Election Policies and Procedures to the Attorney General against the accused candidate(s) within the constraints of the Election Policies and Procedures, and;

601.5 The Office of Elections shall consist of a Deputy Elections Commissioner, who must:

- A. Be appointed by the Elections Commissioner, and;
- B. Be subject to confirmation by the Government Oversight Committee and the Senate requiring a majority vote, and;
- C. Serve a term of two (2) years and be subject to reconfirmation after the first year by majority vote of the Government Oversight Committee, and;
- D. Assume the duties of the Elections Commissioner in the event of their absence.
- E. Assist the Elections Commissioner in overseeing the completion of initiatives related to elections.

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Chapter 602: Elections Policies and Procedures

602.1 Creation

- A. There shall be Election Policies and Procedures formed to govern the production and maintenance of Student Government elections, and;
- B. They shall be formatted in such a way that they may be easily distributed to, and understood by, the Student Body, and;
- C. The Election Policies and Procedures shall serve as an extension of statute, bearing full authority, and;
- D. The Election Policies and Procedures shall not appear in full within statute, and;
- E. The Election Policies and Procedures shall be outlined within statute for the purposes of continuity and the establishment of principles held paramount to our elections process, and;
- F. All policies and procedures dictated in statute may not be superseded by the Elections Policies and Procedures.

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602.2 Purpose

- A. The Election Policies and Procedures shall serve as the binding guidelines for both the Office of Elections and all prospective candidates for election.
- B. The Election Policies and Procedures shall dictate the manner and scope in which this government does apply restriction, resolution, and restitution in all election related matters.

602.3 Election Code of Ethics

- A. There shall be an Election Code of Ethics that all students involved with the system of elections must agree to uphold.
- B. The Election Code of Ethics shall exist as an accord established between all individuals participating in the system of election and the Student Government Association, and furthermore, the Student Body.
- C. An Election Code of Ethics shall be provided within the Election Policies and Procedures and shall include, but are not limited to, the following provisions:

~~No person shall physically, emotionally, or mentally abuse any other candidate, student, or university employee.~~



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1. No person shall misrepresent any material fact(s) through any campaign material(s) or action(s).
2. No person shall misrepresent any campaign material(s) or action(s) as being the property or undertaking of any other candidate or political party organization.
3. No person shall condone or authorize the destruction or theft of any candidate's or political party organization's campaign material(s).
4. No person shall commit written, printed, or verbal defamation.
5. Candidates and political party organizations are responsible for the actions of other individuals and/or organizations acting on their behalf at the direction of the candidate or political party organizations beyond a reasonable doubt.

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602.4 Timeline

- A. The Election Policies and Procedures shall maintain a section concerning election timelines.
- B. Such a section shall contain, at a minimum, the following applicable provisions:
 1. All General Elections, to be held once during the fall semester and once during the spring semester, shall be held between the eighth (8th) and the twelfth (12th) week of the semester.
 2. All General Elections shall last for at least two (2) business days held in succession from the hours of 9:00AM to 6:00PM, at a minimum.

602.5 Candidacy

- A. The Election Policies and Procedures shall maintain a section concerning candidates.
- B. Such a section shall contain, at a minimum, the following applicable provisions:
 1. Any student who meets the constitutional requirements for candidacy shall be able to avail themselves as a candidate for any election through the submission of a Candidate Declaration of Intent.
 2. Candidate Declarations of Intent shall include:
 - a. An agreement on the part of the candidate to abide by the Elections timeline published by the Elections Commissioner.
 - b. An agreement on the part of the candidate to abide by and uphold the Election Code of

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Ethics.

c. An agreement on the part of the candidate to submit a Candidate Financial Statement, as dictated under the Election Policies and Procedures.

d. An agreement on the part of the candidate to indicate his or her chosen Student Government political party affiliation, whereas "Independent" is an option.

e. An Agreement on the part of the Candidate to the SG Authorization and Release form to allow verifications of records.

3. Candidacy may be withdrawn up to the time at which the ballot may no longer be changed by presenting a written and signed Statement of Withdrawal to the Elections Commissioner.

C. The following Student Government Positions must resign from their office once they declare candidacy or obtain a position of leadership within a political party during an election season due to a conflict of interest:

1. Elections Commissioner

2. Attorney General

3. Student Advocate

4. Government Oversight Chairman

5. Supreme Court Justices

D. Members of the Government Oversight Committee must be removed from the committee by the Senate President once they declare candidacy or obtain a position of leadership within a political party organization.

E. Party Chairs shall notify the Elections Commissioner of all individuals who have a position of leadership within a political party organization.

F. A position of leadership in a political party organization shall be defined in the Elections Policies and Procedures. The Elections Commissioner shall have the final authority in identifying positions of leadership.

602.6 Political Party Organizations

A. The Election Policies and Procedures shall maintain a section concerning political party organizations hereinafter referred to as PPOs.

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B. Such a section shall contain, at a minimum, the following applicable provisions:

1. PPOs shall be registered with the Office of Elections.

a. PPOs shall need only file a Party Declaration of Intent containing the signatures of two (2) currently enrolled student members to become registered.

b. PPOs shall, by registering with Student Government, agree to operate under the laws of Student Government.

2. PPOs shall select a chairperson.

a. The two (2) currently enrolled student members must consent to place the name of the party chairperson on the Party Declaration of Intent and verify it with their signatures.

3. PPOs shall be able to file joint campaign finance reports.

a. Political party organizations shall designate at the time of formation whether or not they intend to file a joint campaign finance report.

4. There shall be reasonable naming restrictions for PPOs.

5. The submission of a Declaration of Intent for a PPO shall render the party registered for a full year from the date of submission. Once an annual registration expires, a new Party Declaration of Intent must be filed.

6. The active period of a PPO shall begin the semester of the first registration and end after the PPO has operated for a maximum of two (2) years, which may be consecutive or non-consecutive within a four (4) year period. After the PPO has operated for a maximum of two (2) years, the four (4) year retirement period shall begin immediately. The Elections Commissioner reserves the right to retire a PPO's name early should their registration lapse.

7. The Retirement period shall be a period of four (4) years in which the PPO shall be kept on record but shall not be used. After the retirement period, the PPO may be eligible to be reinstated within the active period.

a. Retired PPO names are afforded the same naming protections as active PPOs.

602.7 Campaigning

A. The Election Policies and Procedures shall maintain a section in regards to campaigning.

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B. Such a section shall contain, at a minimum, the following applicable provisions:

1. There shall be restrictions on campaign signage location and duration of placement.
2. There shall be restrictions regarding the manner in which a person may campaign.

C. All campaign materials must be approved and on file with the Elections Commissioner.

1. Campaign materials are defined as all publicly presented items that contribute to a candidate's campaign. Campaign materials include but are not limited to posters, signs, fliers, digital media, and food items.

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602.8 The Ballot

A. The Ballot shall serve as the vehicle for the democratic process, carrying the will of the Student Body on all Constitutional and statutorily granted affairs.

B. The Election Policies and Procedures shall maintain a section concerning ballots.

C. Such a section shall contain, at a minimum, the following applicable provisions:

1. Each ballot produced for a Student Government election shall be created and formatted by the Office of Elections.
2. The final version of each ballot must be made public by the Elections Commissioner five (5) business days preceding the nearest upcoming election.
3. Absentee ballots shall be made available by the Office of Elections.

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4. All proper Constitutional Referenda and Plebiscites shall be placed on the ballot.

5. Candidates' names shall be placed on the ballots in a randomized manner.

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6. Unopposed candidates shall be declared the winner by acclamation. No election for the respective seat shall be held.

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7. There shall be no select all option on the ballot, ~~that selects up to twenty (20) candidates from one party.~~ Instead, voters must only have the ability to select candidates one at a time.

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8. There shall be a presentation of all candidates' platforms to be available to the individual voter upon viewing of the ballot. Such platforms shall be regulated by the Election Policies and Procedures.



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9. No changes shall be made to an election ballot within two (2) business days of the election.

10. Further format regulations may be established by the Elections Policies and Procedures if they do not conflict with those statutorily mandated.

602.9 Polls

A. The Election Policies and Procedures shall maintain a section concerning the polls.

B. Such a section shall contain, at a minimum, the following applicable provisions:

1. There shall be at least two (2) polling stations provided by Student Government made available to the Student Body during an election.

2. A protected polling region shall exist surrounding all Student Government polling stations not to exceed seventy-five (75) feet within which all applicable Election Policies and Procedures shall be strictly monitored and enforced.

3. There shall be poll workers who meet the requirements dictated within the Election Policies and Procedures who are selected and overseen by the Elections Commissioner.

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Chapter 603: Enforcement

603.1 Disqualification

A. Upon receipt of all Candidate Declarations of Intent, the Elections Commissioner shall have five (5) business days to review them. On the ~~third (3)~~^{sixth (6th)} business day following the candidate submission deadline the Elections Commissioner shall issue all notifications of disqualification to candidates that have failed to meet the constitutional requirements for candidacy.

B. The Elections Commissioner shall contact all candidates who are disqualified and make known all candidates who do qualify.

603.2 Violations of the Elections Code

A. All complaints alleging violation of the Election Code and or the Election Policies and Procedures shall be handled as Judicial Complaints.

B. Violations of this Statute shall be designated as either a Major or Minor Offense.

C. Major Offenses are any offense that aim to cause a major effect on the outcome of an election such as, but not limited to:

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1. Tampering with election machinery;
2. Casting multiple ballots;
3. Falsification of facts or information;
4. Intentionally causing another candidate to incur violations;
5. Involvement with an effort to falsify the election in any way;
6. Material violation of the Code of Ethics agreement; and
7. Any other offense deemed inappropriate by the Supreme Court to the level that said individual acts in a way unbecoming of his/her desired office (i.e. conviction of a felony, discrimination etc.)

D. Minor offenses shall include but not be limited to:

1. Any violation of the campaign guidelines document;
2. Failure to submit a Candidate Expense Statement by the deadline. Each day late shall be considered a single offense; and
3. Spending an excess of the campaign finance limit. Each percentage over the limit shall be considered a single offense.

603.3 Penalties

A. Refer to Judicial Hearing Guidelines

603.4 Invalidation

- A. Any Activity and Service Fee paying student may file a special Judicial Complaint with the intent to invalidate an election within two (2) business days of the conclusion of said election.
- B. The Elections Commissioner and the Attorney General shall have a reasonable amount of time following the conclusion of each election to forward and file, respectively, elections-related Judicial Complaints, not to exceed five (5) business days.
- C. A special Judicial Complaint is subject to special provisions outlined in the Judicial Policies and Procedures.

603.5 Special Election

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A. In the event of the invalidation of an election, the Elections Commissioner must call a special election within three weeks or before the end of the semester, whichever comes first.

B. If invalidation occurs more than three weeks before the Tuesday of regularly scheduled elections, the special election may adopt the schedule of the general election.

C. A special election shall adhere to all guidelines set forth by Title VI and the Elections Policies and Procedures, excluding only scheduling guidelines that would become irrelevant in the event of a special election.

D. The same ballot must be used for this election; exceptions are limited to candidates who wish to or are required to be removed from the ballot and any plebiscite the Senate chooses to add to the ballot.

1. These plebiscites are still subject to the Election Policies and Procedures.

603.6 Statute of Limitations

A. No election may be invalidated once it has been validated.

603.7 Assumption of Office

A. Election Results

1. Election results shall be released by the Office of Elections in accordance with the Election Policies and Procedures.

2. The Elections Commissioner shall prepare elections results in accordance with the Election Policies and Procedures and present them in the form of a Senate Bill to the Senate on second (2nd) read with the sponsorship of the Government Oversight Committee Chairperson.

3. All elections results bills must be forwarded to the Senate no later than ten (10) business days following the close of the election if all pending elections related Judicial Complaints have been resolved.

4. The Senate must vote to validate the election by majority approval of the bill.

5. If the Senate validates the election, all newly elected candidates shall be installed.

B. Installation

1. All Senatorial candidates shall be installed at the first Senate meeting following the validation of the election.

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2. Presidents and Vice Presidents-elect shall be sworn in as dictated by ~~Article V~~ Title III.

HISTORY:

SB-96F-959 (November 13, 1996)
Original SB-97S-985 (March 27, 1997)
SB-97S-986 (March 27, 1997)
SB-97S-987 (March 27, 1997)
SB-97F-1008 (October 10, 1997)
SB-97F-1012 (October 27, 1997)
SB-97F-1028 (December 2, 1997)
SB-97F-1039 (December 18, 1997)
SB-97F-1040 (December 18, 1997)
SB-98S-1070 (April 22, 1998)
SB-00S-1293 (February 1, 2000)
SB-02SB-1568 (September 19, 2002)
JB-02-0001 (July 15, 2002)
SB-03S-1657 (March 14, 2003)
SB-04S-1747 (February 20, 2004)
SB-04SA-1775 (June 28, 2004)
SB-04SA-1776 (June 28, 2004)
SB-04SA-1777 (June 28, 2004)
SB-04SA-1778 (June 28, 2004)
SB-04SA-1772 (July 1, 2004)
SB-04SA-1774 (July 1, 2004)
SB-04SA-1779 (July 1, 2004)
SB-04SA-1780 (July 1, 2004)
SB-04SB-1790 (August 2, 2004)
SB-04F-1801 (September 20, 2004)
SB-04F-1810 (October 12, 2004)
SB-04F-1823 (November 29, 2004)
SB-04F-1836 (December 16, 2004)
SB-04F-1837 (December 13, 2004)
SB-05S-1851 (January 24, 2005)
SB-05SB-1934 (August 22, 2005)
SB-05SB-1935 (August 22, 2005)
SB-05SB-1936 (August 22, 2005)
SB-05SB-1937 (August 22, 2005)
SB-05SB-1938 (August 22, 2005)
SB-06S-1970 (January 30, 2006)
SB-06S-1972 (February 13, 2006)
SB-06S-1973 (January 30, 2006)
SB-06S-1974 (February 13, 2006)
SB-06S-1975 (February 13, 2006)
SB-07S-2089 (March 6, 2007)
SB-06SA-2031 (June 19, 2006)
SB-07SA-2132 (July 2, 2007)
SB-07F-2151 (August 29, 2007)
SB-07F-2154 (September 11, 2007)



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[SB-07F-2155 \(September 11, 2007\)](#)
[SB-07F-2156 \(September 11, 2007\)](#)
[SB-07F-2157 \(September 11, 2007\)](#)
[SB-07F-2158 \(September 11, 2007\)](#)
[SB-07F-2171 \(October 29, 2007\)](#)
[SB-07F-2172 \(November 13, 2007\)](#)
[SB-07F-2173 \(November 13, 2007\)](#)
[SB-07F-2182 \(January 28, 2008\)](#)
[SB-07F-2183 \(January 28, 2008\)](#)
[SB-07F-2190 \(January 28, 2008\)](#)
[SB-07F-2184 \(February 8, 2008\)](#)
[SB-07F-2189 \(February 8, 2008\)](#)
[SB-07F-2191 \(February 8, 2008\)](#)
[SB-08S-2201 \(February 8, 2008\)](#)
[SB-08S-2217 \(April 4, 2008\)](#)
[SB-08S-2218 \(April 4, 2008\)](#)
[SB-09S-2304 \(February 16, 2009\)](#)
[SB-09S-2316 \(February 16, 2009\)](#)
[SB-09S-2305 \(March 3, 2009\)](#)
[SB-09F-2349 \(August 23, 2009\)](#)
[SB-09F-2344 \(January 4, 2010\)](#)
[SB-10S-2392 \(March 3, 2010\)](#)
[SB-10S-2393 \(July 9, 2010\)](#)
[SB-10SA-2418 \(July 9, 2010\)](#)
[SB-11S-2481 \(January 10, 2011\)](#)
[SB-10F-2472 \(January 31, 2011\)](#)
[SB-11SB-2539A \(September 26, 2011\)](#)
[SB-12S-2566 \(January 9, 2012\)](#)
[SB-12S-2567 \(January 30, 2012\)](#)
[SB-12S-2575 \(February 13, 2012\)](#)
[SB-12S-2579 \(February 20, 2012\)](#)
[SB-12S-2594A \(May 9, 2012\)](#)
[SB-12SA-2598A \(July 23, 2012\)](#)
[SB-12F-2628 \(September 24, 2012\)](#)
[SB-12F-2652 \(November 19, 2012\)](#)
[SB-13S-2667 \(January 28, 2013\)](#)
[SB-13S-2671 \(February 25, 2013\)](#)
[SB-14S-2743 \(January 15, 2014\)](#)
[OB-14SA-2771 \(June 9, 2014\)](#)
[SB-15SB-2886 \(July 20, 2015\)](#)
[SB-16S-2948 \(April 11, 2016\) Based on Attorney General Interpretation F-2015-4](#)
[SB-16SB-3017 \(July 20th, 2016\)](#)
[SB-17SA-3204 \(July 17th, 2017\)](#)

Therefore: Let it be enacted that the following changes to Title VI be made ~~effective January 1st~~ effective contingent upon the date of the validation of the Fall 2017 Election.

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Student
Government
University of North Florida

SENATE LEGISLATION

SB-17F-3257

SB-17F-325738: Amendments to Title VI

Legislative Action

Author: Government Oversight Committee
Sponsor: Senator-Senator PearceSmith
Committee: Government Oversight
Committee Action: 55-0-0
Date of Committee Action: 11-3-17
Senate Action: 18-0-0
Date of Action: 11-3-17

Signed and Delivered to the Student Body President
on this 6th day of November 2017

Signed: _____
Nina Lee, ~~Interim~~ Student Senate President

Executive Action

Let it be known that SB-17F-3257 is hereby
APPROVED / VETOED / LINE-ITEM VETOED
on this 13th day of November 2017

Signed, _____
Thomas Beaucham, Student Body President

Signed and Delivered to the Senate Secretary

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ROT 6NOV17m12:43

ROT 13NOV17m11:48